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MEETING OF THE STATES PARTIES
Fourteenth Meeting
New York, 13 January 1992

PROPOSED AMENDMENT TO ARTICLE 8, PARAGRAPH 6, OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION ON ARRANGEMENTS FOR MEETING THE EXPENSES OF MEMBERS OF THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION WHILE IN PERFORMANCE OF THEIR DUTIES

Australia, Austria, Bahamas, Bangladesh, Bulgaria, Canada, Cyprus, Czechoslovakia, Denmark, Ecuador, Egypt, Finland, France, Ghana, Netherlands, Nicaragua, Norway, Pakistan, Philippines, Portugal, Sweden and Yugoslavia:
draft resolution

The States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination,

Reiterating the importance of the Interntional Convention on the Elimination of All Forms of Racial Discrimination, which is the most widely accepted human rights convention adopted under the auspices of the United Nations, as well as the contribution of the Committee on the Elimination of Racial Discrimination to the United Nations efforts to combat racism and all other forms of discrimination based on race, colour, descent or national or ethnic origin,

Concerned that the financial arrangements for meeting the expenses of members of the Committee on the Elimination of Racial Discrimination, in conformity with article 8, paragraph 6, of the Convention, have not proved sufficient to ensure that the Committee can discharge its mandate effectively,

Recalling the decisions adopted by the Eleventh, Twelfth and Thirteenth Meetings of States Parties appealing to all States parties to meet in full their financial obligations under article 8, paragraph 6,

Recalling also the decisions of the Committee on the serious impediment to its work resulting from the financial situation, including the cancellation and shortening of meetings, 1/

Noting the concern expressed by the Chairman of the Committee about the continuing financial problems in his letter of 14 November 1989, 2/

Aware that the General Assembly has, in its resolutions 41/105, 42/57, 43/96, 44/68 and 45/88, expressed grave concern at the continuing deterioration of the proper functioning of the Committee as a result of interruptions to its meeting schedule and has made reiterated appeals to all States parties to fulfil their financial obligations without delay,

Noting also that the General Assembly has endorsed the recommendations of the 1988 and 1990 meetings of the chairpersons of human rights treaty monitoring bodies on the need to ensure adequate financing and adequate staffing resources for the operations of the treaty bodies, and in particular that the General Assembly in its resolution 46/111 endorsed the recommendation of the 1990 meeting of chairpersons that the General Assembly take appropriate measures to ensure the financing of each of the monitoring committees from the regular budget of the United Nations,

Taking note of the General Assembly's request in its resolutions 46/83 and 46/111 that the States parties to the Convention consider, as a matter of priority, all possibilities of establishing a more secure basis for the future financing of all the costs of the Committee, including possible amendment to the funding provisions of the treaty,

Noting the proposed amendment to article 8, paragraph 6, put forward by the Government of Australia 3/ in accordance with article 23, paragraph 1, of the Convention,

Taking note further of General Assembly decision 46/428 in accordance with article 23, paragraph 2, of the Convention, requesting that the current meeting of States parties consider the proposed amendment and to limit the scope of any revision of the Convention to the question of arrangements for meeting the expenses of Committee members while in performance of their duties,

1. Decide to replace paragraph 6 of article 8 of the Convention with the paragraph "The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the Convention.";

1/ CERD 1989 (XXXVII) I, 1988 (XXXVI) I, 1987 (XXXIV) II, (XXXV) I.

2/ CERD/SP/39.

3/ C.N.285.1991.TREATIES-4 of 20 December 1991.

2. Decide to add a new paragraph, as article 8, paragraph 7, "The members of the Committee established under the present Convention shall, with the approval of the General Assembly, receive emoluments from United Nations resources on such terms and conditions as the General Assembly may decide.";

3. Recommend that the General Assembly approve these amendments at its forty-seventh session;

4. Decide that the amendment shall enter into force when it has been approved by the General Assembly and accepted by a two thirds majority of States parties which shall have so notified the Secretary-General as depositary;

5. Urge all States parties to meet their financial obligations under the existing article 8, paragraph 6, in full until such time as the amendment in paragraph 1 above enters into force;

6. Strongly appeal to all States parties in arrears in making the contributions required by the existing provisions of the Convention to meet those payments in full;

7. Emphasize that the entry into force of the amendments cannot in any way be interpreted as relinquishing the obligation of States parties to meet in full any arrears in payments of their assessed contributions.